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10/076,328	02/19/2002	Kenichi Sato	25-193	2013

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EXAMINER

SCHWARTZ, JORDAN MARC

ART UNIT

PAPER NUMBER

2873

DATE MAILED: 05/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/076,328

Applicant(s)

SATO, KENICHI

Examiner

Jordan M. Schwartz

Art Unit

2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3, 5 and 6 is/are rejected.
- 7) ☒ Claim(s) 1, 2 and 4 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: .

## **DETAILED ACTION**

### ***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Objections***

Claims 1 (dependent claim 2) and 4-6 are objected to for the following reason. Since the intended meaning could be determined from the specification and the Figures, 112 rejections were not made but instead these lack of clarity issues were raised in the following claim objections.

Specifically, in claims 1 and 4-6, applicant is defining for example "f1" as the "focal length of the first lens in order from the object side". Since the lens system of claim 1 can "comprise" numerous lenses, it is not clear if applicant is defining "f1" in terms of the focal length of the claimed "first lens" or in terms of any lens of the system that would be the first lens in order from the object side. From the specification and Figures it is assumed that applicant is intending claim 1 to be the focal length of the claimed first lens. Therefore, to provide clarity, as a suggestion, applicant may want to defined f1 as "the focal length of the first lens" (and delete "in order from the object side" to avoid the possible confusion) with similar changes to the definitions of the other focal lengths.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 3 and 5-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Betensky.

Betensky reads on these claims by disclosing the limitations therein including the following: a single focus lens (Figures 4A and 5A, Table 4 and 5 embodiments); comprising a negative lens, a positive lens, a negative lens and a positive lens in sequential order from the object side (Figures 4A and 5A, Table 4 and 5 embodiments); the first lens concave on the object side (Figure 4A and 5A, Table 4 and 5 embodiments re lens “U1”); the second lens having at least one surface that is aspheric (Table 4 and 5 embodiments); the fourth lens having a convex image side surface (Figure 4A and 5A, Table 4 and 5 embodiments re lens “U4”); the fourth lens having at least one surface that is aspheric (Table 4 and 5 embodiments). The claimed “wide-angle” is set forth in the preamble and has not been given patentable weight. Regardless, the lens system of Betensky would inherently be wide-angle, this being reasonably based upon the construction of the system as a minus, plus, minus, plus system which are known to having wider angles of view as well as based upon the similarity in structure between the lens system of Betensky and that of the claimed invention. Betensky further discloses the lens system satisfying the condition of claim 5 (Table 4 and 5 embodiments); and satisfying the condition of claim 6 (Table 4 and 5 embodiments).

***Allowable Subject Matter***

Claims 1-2 are allowed (upon overcoming the claim objection set forth above).

Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims (and overcoming the claim objection set forth above).

The following is a statement of reasons for the indication of allowable subject matter: in reference to the allowable subject matter, none of the prior art either alone or in combination disclose or teach the claimed combination of limitations. Specifically, with reference to claims 1-2 and 4, none of the prior art either alone or in combination disclose or teach of the claimed wide-angle single focus lens comprising, in sequential order from the object side, a negative lens, a positive lens, a negative lens and a positive lens, the first lens concave on the object side, the fourth lens convex on the image side, the second fourth lenses having at least one aspheric surface, and specifically further with the lens system satisfying the condition  $-2.0 < f/f1 < -0.5$ .

***Examiner's Comments***


Sato and Sugawara are being cited to show single focus lens systems having some similar structure to that of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jordan M. Schwartz whose telephone number is (703) 308-1286. The examiner can normally be reached on Monday to Friday (8:00-5:30), alternate Fridays off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y. Epps can be reached at (703) 308-4883. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

A handwritten signature in black ink, appearing to read 'J. Schwartz', with a large, stylized loop at the end.

Jordan M. Schwartz  
Primary Examiner  
Art Unit 2873  
May 13, 2003